House File 2161 - Introduced

HOUSE FILE 2161
BY HEARTSILL and DAWSON

A BILL FOR

- 1 An Act relating to peace officer personal information under
- 2 the control of local officials and including effective date
- 3 provisions.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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- 1 Section 1. <u>NEW SECTION</u>. 331.911 Request to limit public
- 2 access to certain peace officer personal information internet
- 3 sites.
- 4 l. Notwithstanding chapter 22, a peace officer, as defined
- 5 in section 801.4, may file a written request with a local
- 6 official on a form prescribed by the department of public
- 7 safety, in consultation with the Iowa county recorders
- 8 association and the Iowa state association of assessors, to
- 9 prohibit the general public from accessing, on an internet site
- 10 maintained by the local official, the peace officer's name,
- 11 residential address, and telephone number, as identified by
- 12 the peace officer, that are contained in instruments, books,
- 13 records, indexes, and other information under the authority of
- 14 the local official.
- 2. Within fifteen days of receiving the request, the local
- 16 official shall ensure that the peace officer's information
- 17 identified by the peace officer under subsection 1 does not
- 18 appear in search results on an internet site maintained by the
- 19 local official.
- 3. For purposes of this section, "local official" means a
- 21 county auditor, county treasurer, county recorder, or local
- 22 assessor.
- 23 Sec. 2. IMPLEMENTATION OF ACT. Section 25B.2, subsection
- 24 3, shall not apply to this Act.
- 25 Sec. 3. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
- 26 immediate importance, takes effect upon enactment.
- 27 EXPLANATION
- 28 The inclusion of this explanation does not constitute agreement with
- 29 the explanation's substance by the members of the general assembly.
- 30 This bill provides that a peace officer may file a written
- 31 request with a local official on a form prescribed by the
- 32 department of public safety, in consultation with the Iowa
- 33 county recorders association and the Iowa state association of
- 34 assessors, to prohibit the general public from accessing, on
- 35 an internet site maintained by the local official, the peace

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- 1 officer's name, residential address, and telephone number,
- 2 as identified by the peace officer, that are contained in
- 3 instruments, books, records, indexes, and other information
- 4 under the authority of the local official. Within 15 days of
- 5 receiving the request, the local official shall ensure that the
- 6 peace officer's information does not appear in search results
- 7 on an internet site maintained by the local official. The bill
- 8 defines "local official" to include a county auditor, county
- 9 treasurer, county recorder, or local assessor.
- 10 The bill may include a state mandate as defined in Code
- 11 section 25B.3. The bill makes inapplicable Code section 25B.2,
- 12 subsection 3, which would relieve a political subdivision from
- 13 complying with a state mandate if funding for the cost of
- 14 the state mandate is not provided or specified. Therefore,
- 15 political subdivisions are required to comply with any state
- 16 mandate included in the bill.
- 17 The bill takes effect upon enactment.